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THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

GENTZ *et al.*

Appl. No. 09/585,541

Filed: June 2, 2000

For: **Keratinocyte Growth Factor-2  
Formulations**

Confirmation No. 6732

Art Unit: 1634

Examiner: Sisson, B.L.

Atty. Docket: 1488.103000/JMC/PAJ

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**Information Disclosure Statement**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. A copy of each of these documents is provided.

In accordance with 37 C.F.R. § 1.98(a)(3) and M.P.E.P. § 609 III. A(3), Applicants' undersigned representative submits the following with regard to non-English language documents **AL3**, **AM3**, **AM4**, **AP4**, **AP5**, **AL6** and **AM6** cited on Form PTO 1449:

Document **AL3**, Japanese Patent Application No. 7-345689, is in the Japanese language. An English language translation of document **AL3** is attached as document **AS21**.

Document **AM3**, Japanese Patent Application No. 8-103240, is in the Japanese language. An English language translation of document **AM3** is attached as document **AT21**.

Document **AM4**, Japanese Patent Application No. 8-214378, is in the Japanese language. An English language translation of document **AM4** is attached as document **AR22**.

Document **AP4**, WO 97/20929, is in the Japanese language. An English language translation of document **AP4** is attached as document **AR21**.

Document **AP5**, Japanese Patent No. 10-330283, is in the Japanese language. An English language abstract of document **AP5** is attached as document **AS22**.

Document **AL6**, Japanese Patent No. 10-330284, is in the Japanese language. An English language abstract of document **AL6** is attached as document **AT22**.

Document **AM6**, Japanese Patent No. 10-330285, is in the Japanese language. An English language abstract of document **AM6** is attached as document **AR23**.

Applicants would also like to direct the Examiner's attention to co-pending United States Application No. 09/248,998, filed February 12, 1999; Application No. 09/345,373, filed July 1, 1999; Application No. 09/853,666, filed May 14, 2001, published February 7, 2002; Application No. 09/610,651, filed June 30, 2000; Application No. 10/035,212, filed January 4, 2002 and Application No. 10/075,446, filed February 15, 2002, which are directed to related technical subject matter.

The identification of these U.S. Patent Applications is not to be construed as a waiver of secrecy as to those applications now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited applications and the art cited therein during examination.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.

This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application. Attached is our Check No. 35998 in the amount of \$ 180.00 in payment of the fee under 37 C.F.R. § 1.17(p).

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this pleading is enclosed.

Respectfully submitted,

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